

Commonwealth of Massachusetts
Municipal Police Training Committee
“Training for Today, Planning for the Future”



Firearms Standards for Training and Qualification

Minimum State Standard:

The minimum standards included herein are required of all sworn municipal, University of Massachusetts, and environmental police officers in the Commonwealth, whether fulltime, reserve, or intermittent. These standards are divided into two sections: *Qualification* and *Training*. Qualification under these standards is intended to document existing marksmanship proficiency and safe firearms handling skills. Training is intended to improve the officer's marksmanship, reaction, and decision-making skills under stress in a variety of potential shooting situations, as well as to enhance officer safety and safety of the public. The standards listed are minimum standards only. Nothing herein should be construed as recommending adherence to only to the minimum standards or as restricting agencies in any way from exceeding them.

The maximum interval between training sessions shall not exceed six months. These minimum standards shall include all weapon systems that a department authorizes and deploys, to include:

- Semiautomatic pistols
- Revolvers
- Patrol rifles
- Shotguns
- Less-lethal systems

Example 1: If a department only authorizes duty pistols, then all that is required is to adhere to the standard regarding the duty pistol.

Example 2: If a department authorizes and/or deploys a duty pistol, patrol rifle, shotguns, and backup weapon, then the department is required to adhere to the state standards for all four weapon systems.

Electronic control weapon training requirements (i.e. TASERs) are governed by 501 CMR 8.00.

Annual Qualifications:

1. Each officer shall successfully complete the MPTC Basic Qualification Course for each weapon at least once per year with:
 - a. A minimum score of 80% and
 - b. 100% round accountability. (See below for illustration of MPTC target.)
2. While duty ammunition is not required for the qualification course, the caliber used for qualification shall be identical to that used for duty ammunition.
3. The target used for qualification shall be the standard MPTC-approved target. (See below for approved targets.)
4. The number of rounds needed for each weapon system is as follows:

Semiautomatic pistols = 50	Revolvers = 50	Patrol rifles = 50
Shotguns = 25	Less-lethal shotgun = 8	Less-lethal 40mm = 6

Annual Training:

1. Officers shall receive instruction in and review legal issues and department policy regarding use of force and the safe handling and storage of firearms, including deployment from and storage into the locking devices in cruisers. These may be done:
 - a. At the time of qualification,
 - b. During range training, or
 - c. On a separate date and time.
2. Each officer shall complete two, separate training sessions in the use of all weapon systems a department deploys within each twelve (12) month period, but not to exceed six (6) month intervals.
3. In *addition* to the annual qualification requirement, at a minimum, each officer shall discharge
 - a. At least fifty (50) live-fire rounds for training.
 - b. The intent is for these additional rounds to be expended in multiple firearms training sessions.
 - c. The requirement to fire fifty (50) live-fire rounds will apply to the following weapon systems:
 - i. Semiautomatic pistol
 - ii. Revolver
 - iii. Patrol rifle
4. Additional rounds for the shotgun will be twenty-five (25) rounds, unless solely used as a less-lethal system.
5. Additional rounds for less-lethal systems will be two (2) rounds.
6. Each training session shall be realistic in nature and should include, but not be limited to, the following:
 - a. Judgmental shooting,
 - b. Reduced light
 - c. Multiple target drills or scenarios,
 - d. Shooting at moving targets and shooting while moving
 - e. Sympathetic fire drills
7. Training should enhance skill diversity by varying the live fire drills from session to session. Instructors should build upon the drills conducted in previous sessions.
8. Training should be scenario-based wherever practical and incorporate the use of:
 - a. Cover,
 - b. Shooting from a variety of positions, and
 - c. Use of both sighted and point shooting techniques.
9. Any target may be used for training purposes; in addition, the use of steel or reactive targets is encouraged where practical.

10. In addition to the live-fire requirements, skill-building drills may include;
 - a. Firearms simulators (such as MILO or FATS)
 - b. Simunition weapons
 - c. Airsoft/plastic rounds
 - d. Red/blue guns.
11. Departments shall use MPTC-Certified Level I Firearms Instructors or higher when conducting the MPTC qualification and training courses.

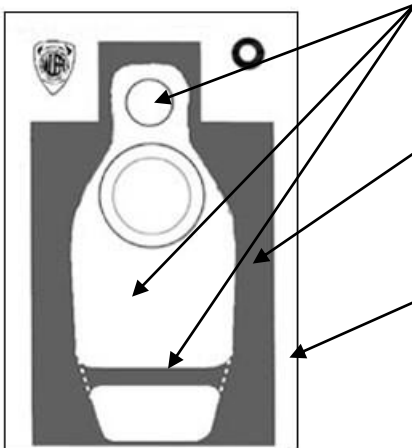
Approved MPTC Qualification Targets:

- Q type Targets
- Reduced Q type targets for range trailer
- Q-P Targets

MPTC Scoring Criteria:

- *Applies to all MPTC qualifications*
- *Courses of fire on IALEFI Q(P) target*

IALEFI-QP



Rounds in white scoring area, including the gray area between the upper "Q" and the pelvic girdle, score two (2) points each.

Rounds in "gray torso" are hits but score no points. (Instructors)

Rounds outside gray torso are considered missed rounds for scoring purposes but are included as part of the 100% Round Accountability (In-Service Firearms).

However, they are considered misses for MPTC Firearms Instructors.

100 % Round Accountability Scoring Criteria:

Non-Instructors/In-service: All fifty (50) rounds must be accounted for on the target/paper.

Instructors: All fifty (50) rounds must strike within the gray torso outline. Rounds outside torso are misses, even if they are on the target/paper.

General Principles of Firearms Training

1. Notwithstanding the potential for "failure to train" lawsuits under 42 U.S.C. 1983, or lawsuits for "employee negligence" under the Massachusetts Tort Claims Act (M.G.L. c. 258), the design and implementation of firearms training programs should not be motivated by the sole purpose of avoiding legal liability.
2. Firearms training should be designed to prepare officers to protect themselves and their communities from dangerous individuals, when necessary. To attain that objective, the program should logically take into consideration the nature and conditions of the job and should be tailored accordingly.
3. That said, the primary liability issues involving firearms training involve failure to train (which includes the nature of the training), failure to supervise training (which includes documentation), proficiency testing, and policies.

Selected Negligent Training Cases

City of Canton, Ohio v. Harris, 109 S.Ct. 1197 U.S. Ohio, 1989 (deliberate indifference standard established)

Zuchel v. City and County of Denver 997 F. 2d 730 10th Circuit Court (inadequate training program)

Popow v. City of Margate 476 F. Supp. 1237 D.N.J. 1979 (inadequate training in absence of moving targets and low-light training)

Vickowski v. Hukowicz, 201 F.Supp.2d 195 D. Mass., 2002 (outlines legal test/questions for establishing a failure-to-train tort)

Armstrong v. Lamy, 938 F.Supp. 1018 D. Mass., 1996 (Pattern of behavior in violation of constitutional standard need not be shown if need for more or different training is so obvious and inadequacy so likely to result in violation of constitutional rights that policymakers of municipality can reasonably be said to have been deliberately indifferent to need.)

These cases only provide a very cursory overview of litigation involving firearms training. For a more extensive list of relevant cases, please contact the MPTC or your legal advisor.